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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,819	11/21/2003	Allen Jacobs	37182-22	1341

7590  
Warren P. Kujawa  
461 Indigo Springs St.  
Henderson, NV 89014

04/06/2007

EXAMINER

TRIEU, VAN THANH

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

### Period for Reply

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## ***DETAILED ACTION***

### ***Specification***

1. The abstract of the disclosure is objected to because the phrase "DISCLOSURE" and the typing error of "A m thod ....". Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

2. Claim 6 is objected to because of the following informalities: there are typing errors in line 3, "wh n" and "detect d". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by **Schaeffer** [US 5,734,116].

Regarding claim 1, the claimed malfunction management unit for a traffic control system for monitoring traffic control signals for a Red Fail fault in which no signal is activate in a given channel (the NEMA traffic tester 40 is connected to a traffic signal controller 18, a terminal panel 12 and a conflict monitor 20 for monitoring and testing traffic control signals of a failure red light in one channel, see Figs. 2 and 6, col. 5, lines 45-67 and

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col. 6, lines 1-34); and having the input terminals for receiving control signals grouped in channels and used to operate the traffic control lights (the input terminals through cables 28A, 28B and 28C, see Fig. 2, col. 4, lines 13-62 and col. 5, lines 45-67); and the monitoring means for detected a Red Fail fault from the signals in the channel (see Fig. 6, col. 6, lines 1-34); and channel selection means for enabling a Red Fail test on a channel specific basis (the switches 44 for selecting/switching to a specific channel of the Red light failure, see Figs. 2 and 6, col. 6, lines 27-34).

Regarding claim 2, the claimed manual settable switch for enabling and disabling the channel selection means (the manual switch 44, see Figs. 2-4 and 6, col. 6, lines 1-34).

Regarding claim 3, the claimed display for indicating whether a Red Fail fault has occurred in a selected channel (the display 30, see Figs. 2, col. 4, lines 21-24 and col. 6, lines 11-26).

Regarding claim 4, the claimed output for controlling the operation of an output relay used to transfer the operation of the traffic control lights to a flashing mode of operation when a Red Fail is detected a selected channel (the conflict monitor 20 detects of the Red light conflict to indicate an appropriate punches out and results in flashing signal light of that used channel, see Figs. 2 and 6, col. 6, lines 18-26).

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Regarding claim 5, the method claimed limitations are met by the apparatus claim 1 above.

Regarding claim 6, all the claimed subject matters are cited in respect to claims 4 and 5 above.

Regarding claim 7, all the claimed subject matters are cited in respect to claims 2 and 5 above.

Regarding claim 8, all the claimed subject matters are cited in respect to claims 3 and 5 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Marcus et al** disclose an apparatus and method for detecting and controlling traffic light signals comprising a plurality of solid-state switches, which are activated to scan inputs from the traffic control signals. [US 4,734,862]

**Carlson** discloses a portable conflict monitor testing apparatus comprising a test signal generator and a programmable array switches. [US 4,586,041]

**Heimann** discloses a traffic control system failure monitoring comprising a traffic control light, a light flasher structure, a plurality of load switches and a relay structure connected to the flasher structure. [US 5,327,123]

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5. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Daniel Wu** can be reached on (571) 272-2964.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 3/26/07**